

JAN 22 2008

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ANGEL RAYA-MENDOZA,

Defendant - Appellant.

No. 07-10246

D.C. No. CR-07-00079-RMW

MEMORANDUM<sup>\*</sup>

Appeal from the United States District Court  
for the Northern District of California  
Ronald M. Whyte, District Judge, Presiding

Submitted January 14, 2008<sup>\*\*</sup>

Before: HALL, O'SCANNLAIN, and PAEZ, Circuit Judges.

Angel Raya-Mendoza appeals from the 70-month sentence imposed following his guilty-plea conviction for illegal re-entry following deportation in

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<sup>\*</sup> This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

violation of 8 U.S.C. § 1326. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Raya-Mendoza contends that his sentence is unreasonable because he did not receive a larger downward adjustment for his relatively minor, non-violent criminal history. We disagree. The district court conducted a thorough analysis of the sentencing factors listed in 18 U.S.C. § 3553(a), and we conclude that Raya-Mendoza's sentence is not unreasonable. *See Gall v. United States*, 128 S. Ct. 586, 597-98 (2007).

**AFFIRMED.**